

EXEMPT FROM RECORDATION TAX UNDER VIRGINIA CODE
SECTION 58.1-811(A) (3), AS AMENDED

Tax Parcel ID: 3240100033

DEED OF EASEMENT FOR NATURAL OPEN SPACE

THIS DEED OF EASEMENT, made this 29 day of Apr. 1, 2014, by and between Stephen David, Linda Gilbert, and Elizabeth Elgert, Trustees, and its/his/her/their heirs, successors and assigns ("Grantor") and the County of James City, Virginia ("Grantee").

WHEREAS, the Grantor is the owner of certain property known as King of Glory Lutheran Church, consisting of a tract of land containing 13.8469 acres, more or less, more particularly described herein ("Property");

WHEREAS, Grantee has adopted the Chesapeake Bay Preservation Ordinance, Chapter 23 of the James City County Code, as required by Chapter 21 of Title 10.1 of the Code of Virginia to protect the Chesapeake Bay and its tributaries from nonpoint source pollution within the Chesapeake Bay drainage area; and

WHEREAS, the Grantor wishes to preserve land as natural open space as part of Grantor's efforts to improve the quality of stormwater runoff from the Property.

NOW, THEREFORE, in recognition of the foregoing and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, the Grantor does hereby grant and convey to Grantee an easement in perpetuity in gross, with the right in perpetuity to restrict the use as described below, of the portion herein described of that certain tract, lot, piece, or parcel of land ("Easement Property"), to wit:

All those certain areas of land, situate, lying and being in Jamestown Magisterial District, James City County, Virginia, containing a total of 1.479 acres shown and designated as “NEW CONSERVATION EASEMENT AREA 64,414.98 S.F. OR 1.479 ACRES” on that certain plat entitled, “PLAT SHOWING CONSERVATION EASEMENT DEDICATED TO: JAMES CITY COUNTY” dated April 25, 2014, prepared by LandTech Resources, Inc. and recorded in the Office of the Clerk of Circuit Court for the City of Williamsburg and the County of James City, Virginia as Instrument number _____.

The restrictions hereby imposed on the use of the Easement Property, the acts which the Grantor covenants to do or not to do, and the restrictions which the Grantee is hereby entitled to enforce, shall be as follows:

1. No building or structure shall be built or maintained on the Easement Property other than such building or structure approved by the County Watershed Planner, in writing;
2. The Easement Property shall be kept free and clear of any junk, trash, rubbish, or other unsightly or offensive material;
3. No new signs, billboards, outdoor advertising, road, or utility lines shall be placed on the property without the expressed written consent of the County Watershed Planner;
4. The Easement Property shall remain in its natural condition with respect to natural leaf litter or other ground-covering vegetation, understory vegetation or shrub layer, and tree canopy. The activities of Grantor within the Easement Property shall be limited to those which do not remove or damage any vegetation or disturb any soil. Such activities include selective trimming and pruning which will not alter the natural character of the Easement Property with the expressed written consent of the County Watershed Planner. Grantor may install walk trails or remove dead, diseased, poisonous, or invasive vegetation with the expressed written consent of the County Watershed Planner;

5. Grantee and its representatives may enter upon the Easement Property from time to time for inspection, to enforce the terms of this Easement, and to post a sign or marker identifying Grantee's interest in the Easement Property as natural open space;

6. In the event of a violation of the Easement, the Grantee shall have the right to seek all appropriate legal and equitable relief, including but not limited to: reasonable attorney's fees and costs; the right to restore the Easement Property to its natural condition; and assess the cost of such restoration as a lien against the Easement Property.

Although this easement in gross will benefit the public in the ways cited above, nothing herein shall be construed to convey a right to the public of access to or use of the Easement Property, and the Grantor shall retain exclusive right to such access and use, subject only to the provisions herein recited.

Witness the following signatures and seals on the date first above written.



Eva Ann Kercado (SEAL)

Commonwealth of Virginia
City/County of James City, a Notary Public for the Commonwealth of Virginia, do hereby certify that Elizabeth Elgert, whose name is signed to the foregoing Deed, has acknowledged the same before me in the jurisdiction aforesaid.

Given under my hand this 29th day of April, 20 14.

Notary Public

My Commission expires:

My Commission Expires July 31, 2017

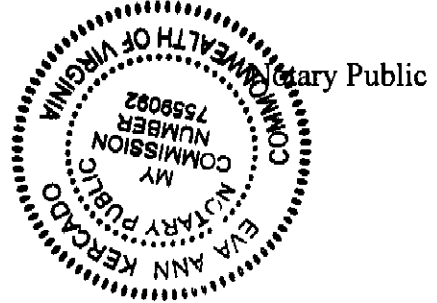
[Signature] (SEAL)

Commonwealth of Virginia
City/County of James City, a Notary Public for the Commonwealth of Virginia, do hereby certify that Stephen David, whose name is signed to the foregoing Deed, has acknowledged the same before me in the jurisdiction aforesaid.

Given under my hand this 29 day of April, 2014.

My Commission expires:

My Commission Expires July 31, 2017



Linda Gilbert (SEAL)

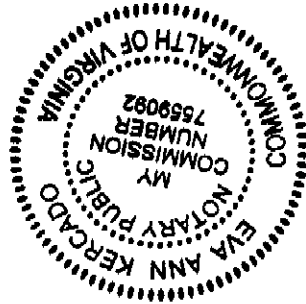
Commonwealth of Virginia
City/County of Same City, a Notary Public for the Commonwealth of Virginia, do hereby certify that Linda Gilbert, whose name is signed to the foregoing Deed, has acknowledged the same before me in the jurisdiction aforesaid.

Given under my hand this 29 day of April, 2014.

My Commission expires:

My Commission Expires July 31, 2017

Notary Public



The form of this deed of easement is approved and, pursuant to Resolution of the Board of Supervisors of James City County, Virginia, duly executed on the 9th day of September, 2008, this conveyance is hereby accepted on behalf of said County.

4/29/14
DATE

Lola Rodriguez Perkins
COUNTY ATTORNEY

Commonwealth of Virginia
City/County of James City, to wit:

I, Melanie J. Davis, a Notary Public for the Commonwealth of Virginia, do hereby certify that Lola Rodriguez Perkins, Attorney for James City County, Virginia, has acknowledged the same before me in the jurisdiction aforesaid.

Given under my hand this 29th day of April, 2014.

My Commission expires:
December 31, 2014

Melanie J. Davis
Notary Public

Prepared by:
LandTech Resource, Inc.
3925 Midlands Road
Williamsburg, Virginia 23188

MELANIE J. DAVIS
NOTARY PUBLIC
REG. #7014335
COMMONWEALTH OF VIRGINIA
MY COMMISSION EXPIRES DEC. 31, 2014

Return to:
Michael Woolson
James City County Engineering and Resource Protection
101-E Mounts Bay Road
Williamsburg, Virginia 23187

PLAT ATTACHED

exempt.frm
(Rev.4-17-14)

5 of 5

VIRGINIA: CITY OF WILLIAMSBURG & COUNTY OF JAMES CITY
This document was admitted to record on 05-07-2014
at 10:29 AM/PM. The taxes imposed by Virginia Code
Section 58.1-801, 58.1-802 & 58.1-814 have been paid.

STATE TAX LOCAL TAX ADDITIONAL TAX
\$ _____ \$ _____ \$ _____

TESTE: BETSY B. WOOLRIDGE, CLERK
BY: Betsy B. Woolridge Clerk

NOTE:

THIS PLAT WAS PRODUCED WITHOUT THE BENEFIT OF A TITLE REPORT AND REFLECTS ONLY THOSE ENCUMBRANCES, EASEMENTS AND SETBACKS AS SHOWN IN INSTRUMENT #100006678

- 1 VIRGINIA ELECTRIC & POWER COMPANY EASEMENT
INST. #14000838
- 2 VIRGINIA ELECTRIC & POWER COMPANY EASEMENT
D.B. 122, PG. 396
- 3 10' C&P TELEPHONE EASEMENT
D.B. 124, PG. 323

RECORD MERIDIAN
INST #100006678

LOT 6
WINDSOR FOREST
SECTION 16
P.B. 44, PG. 52
PARCEL ID#3232100006

LOT 5
WINDSOR FOREST
SECTION 16
P.B. 44, PG. 52
PARCEL ID# 3232100005

N/F
FORD'S COLONY AT WILLIAMSBURG
HOMEOWNER'S ASSOCIATION
FORD'S COLONY
FREEWAY #1-SEC XII
PARCEL ID#3233100001A
INSTR.#050010098
P.B. 90, PG. 23-25

**NEW CONSERVATION
EASEMENT
AREA=64,414.98 S.F.
or 1.479 Acres**

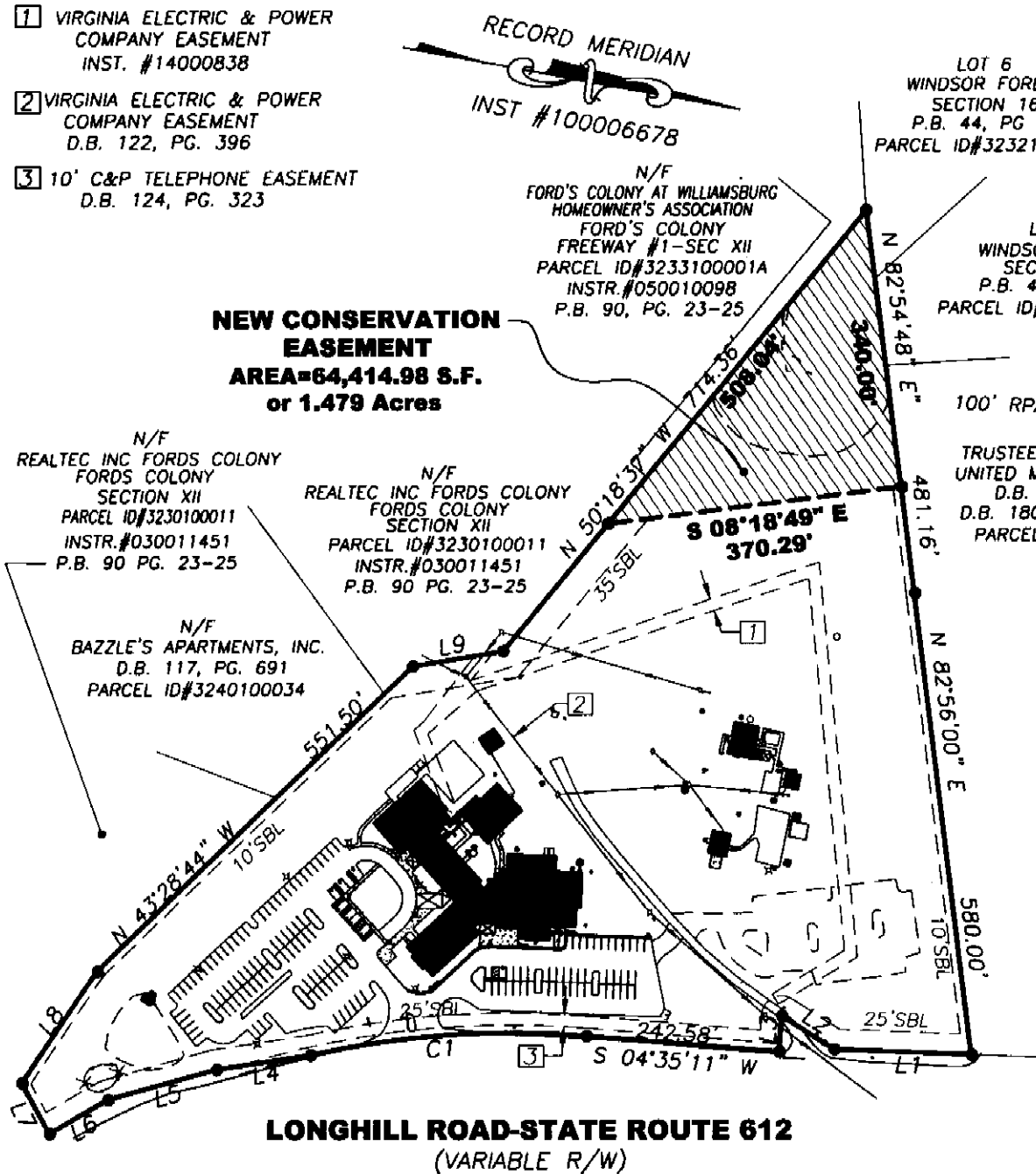
100' RPA

N/F
TRUSTEES OF WELLSRING
UNITED METHODIST CHURCH
D.B. 209, PG. 200
D.B. 180, PG. 181 (PLAT)
PARCEL ID#3240100031

N/F
REALTEC INC FORDS COLONY
FORDS COLONY
SECTION XII
PARCEL ID#3230100011
INSTR.#030011451
P.B. 90 PG. 23-25

N/F
REALTEC INC FORDS COLONY
FORDS COLONY
SECTION XII
PARCEL ID#3230100011
INSTR.#030011451
P.B. 90 PG. 23-25

N/F
BAZZLE'S APARTMENTS, INC.
D.B. 117, PG. 691
PARCEL ID#3240100034



LONGHILL ROAD-STATE ROUTE 612
(VARIABLE R/W)

ADDRESS:

**4897 LONGHILL ROD
JAMES CITY COUNTY, VIRGINIA**

OWNER INFORMATION

**TRUSTEES OF
KING OF GLORY
LUTHERAN CHURCH
PARCEL ID#3240100033
D.B. 0726, PG. 0078
INSTRUMENT #090006836
INSTRUMENT #100006678 (PLAT)
13.8469 AC.**

LEGEND

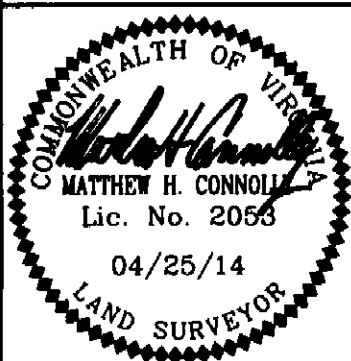
- NEW CONSERVATION EASEMENT
- WETLANDS
- = IRON ROD FOUND

PROPERTY LINE TABLE

LINE	BEARING	DISTANCE
L1	S 02°16'30" W	172.04'
L2	S 32°43'32" W	77.45'
L3	S 85°24'51" E	45.00'
L4	N 08°33'05" W	120.41'
L5	N 15°09'22" W	142.93'
L6	S 29°17'04" E	85.46'
L7	N 60°42'56" E	71.93'
L8	S 55°32'45" E	169.91'
L9	N 09°18'44" W	115.47'

PROPERTY CURVE TABLE

CURVE	RADIUS	ARC	CHORD	CHORD BEARING	DELTA
C1	1170.92'	350.09'	348.78'	S 03°54'48" E	17°07'50"



REFERENCES:

INST:100006678
INST:090006863

DATE: 04/25/14
SCALE: 1"=200'
JOB# 11-208

**PLAT SHOWING
CONSERVATION EASEMENT
DEDICATED TO:
JAMES CITY COUNTY**

JAMES CITY COUNTY JAMESTOWN MAGISTERIAL DISTRICT VIRGINIA

LandTech Resources, Inc.

Surveying • GPS • Engineering
3925 Midlands Road, Williamsburg, Virginia 23188
Telephone: 757-565-1677 Fax: 757-565-0782
Web: landtechresources.com